

## REMARKS

Claims 1-24 are pending in the instant application. Claims 1-24 are rejected. Claims 1, 10 and 19 are amended herein.

### 102 Rejection

Claims 1-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ecklund (U.S. Patent No. 4,853,843). The Applicant has reviewed the cited reference and respectfully submits that the embodiments of the present invention that are set forth in Claims 1-24 are neither shown nor suggested by Ecklund.

The Examiner is respectfully directed to independent Claim 1 which sets forth a method for maintaining software product version tracking in a client/server computer system environment, including:

... d) editing the one software product version using the one client and returning a resulting new software product version to the single database; e) using the server, updating the directories of the single database to chronologically track the new software product version to ensure the paths for each of the plurality of software product versions and the new software product version are available to the plurality of clients.

Independent Claims 10 and 19 recite limitations similar to those contained in Claim 1.

Claims 2-9 depend from Claim 1, Claims 11-8 depend from Claim 10 and Claims 20-24 depend from Claim 19 and recite further limitations of the Claimed invention

Ecklund does not anticipate or render obvious a method for maintaining software product version tracking in a client/server computer system environment that includes: (1) editing one software product version using a single client and “returning a resulting new software product version to the single database” and, (2) using a server, “updating the directories of the single database to chronologically track the new software product” as is recited in Claim 1 (and Claims 10 and 19 with similar limitations).

Ecklund only shows a system for merging virtual partitions of a distributed database. Ecklund is primarily concerned with the maintenance of data following a communications failure (see Abstract). The recited plurality of client devices are equated to the virtual partitions disclosed by Ecklund in the outstanding Office Action. It should be noted that the virtual partitions referred to in the Ecklund reference are components of a distributed database system that represent constructs that are wholly distinct from the recited plurality of client devices that are defined in Applicant’s Claim. Although the Examiner may employ the broadest reasonable interpretation of Claim limitations in his consideration of a Claim, the Examiner may not construe a limitation in a manner that is at odds with its description in the specification. The plurality of clients is not described in the Applicants’ specification in a manner that would suggest that they in any way embody partitions of a distributed database.

Applicant’s Claim 1 attributes distinct functionalities to the recited client and the recited server, with the two entities being claimed as separate and distinct components as a part of the Claim 1 embodiment. It should be appreciated that Ecklund is silent a teaching that a client (that is separate and distinct from the recited server) edits a software product, and a

server (that is separate and distinct from the recited client) updates a database based on the editing. As such, specifically recited data constructs that have the recited interrelationships and functionalities as defined in the claims are simply not shown or suggested by Ecklund.

In fact, nowhere in the Ecklund reference is it shown or suggested that a single client may edit and return a software product to a single intact database wherein a server updates the database to “chronologically track the new software product” as is recited in Claim 1 (and Claims 10 and 19 with similar limitations). Consequently, Ecklund does not anticipate or render obvious the embodiment of the claimed invention that is set forth in Claim 1 (and Claims 10 and 19 with similar limitations).

Accordingly, the Applicant also respectfully submits that Ecklund does not anticipate or render obvious the present claimed invention as is recited in Claims 2-9 dependent on Claim 1, Claims 11-18 dependent on Claim 10 and Claims 20-24 dependent on Claim 19 and that these Claims overcome the rejection under 35 U.S.C. 102(b) or in the alternative 103(a) as being dependent on an allowable base claim.

The Applicant respectfully submits that the rejection of the Applicant’s Claims under 35 U.S.C. 102 should be withdrawn. The Examiner is reminded that in order to anticipate a Claim, the reference must teach each and every element of the Claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). It is clear from the discussion above that “each and every element” is in fact not described by the Ecklund reference. Ecklund does not “either expressly or inherently” show or suggest that a single client may edit and return a

software product to a single intact database wherein a server updates that database to "chronologically tract the new software product" as is recited in the claims.

Conclusion

In light of the above-listed remarks, the Applicant respectfully requests allowance of the remaining Claims.

The Examiner is urged to contact the Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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